

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MANUEL OTERO,

Plaintiff,

v.

No. 1:19-cv-00990-JAP-KRS

BRISTOL WEST INSURANCE
COMPANY OF AMERICA,

Defendant.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on November 26, 2019. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with minor modifications, as reflected in the dates below.

IT IS, THEREFORE, ORDERED that the parties shall adhere to the following discovery plan:

- (a) Maximum of thirty (30) interrogatories by each party to any other party with responses due thirty (30) days after service.
- (b) Maximum of thirty (30) requests for admission by each party to any other party with responses due thirty (30) days after service.
- (c) Maximum of fifty (50) requests for production by each party to any other party with responses due thirty (30) days after service.
- (d) Maximum of ten (10) depositions per side.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to join parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **December 18, 2019;**
- (b) Deadline for Defendant to join parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **December 30, 2019;**
- (c) Plaintiff's expert-disclosure deadline: **January 31, 2020;**
- (d) Defendant's expert-disclosure deadline: **March 2, 2020;**
- (e) Deadline for supplementing discovery/disclosures: **as required by the Federal Rules of Civil Procedure;**
- (f) Termination of discovery: **April 13, 2020;**
- (g) Motions relating to discovery: **May 20, 2020;**
- (h) All other motions: **June 3, 2020;**
- (i) Pretrial order: Plaintiff to Defendant by: **July 17, 2020;**
Defendant to Court by: **July 24, 2020.**

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering

discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style. The first name "Kevin" is written in a smaller, more compact script, while the last name "Sweazea" is written in a larger, more expansive script with a long, sweeping tail on the final letter.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE